

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LESTER BROWN,

Plaintiff

Case No. 06-cv-10376

vs.

Hon. Paul D. Borman

C. WHITE, A. FECTEAU and  
R. HILLMAN,

Defendants

\_\_\_\_\_/

CHRISTOPHER J. TRAINOR (P 42449)  
Attorney for Plaintiff  
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JOHNSON, ROSATI, LaBARGE,  
ASELTINE & FIELD, P.C.  
MICHAEL E. ROSATI (P 34236)  
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Attorneys for Defendants  
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**PROTECTIVE ORDER**

At a session of said Court held in the City of  
Detroit, County of Wayne, State of Michigan on  
\_\_\_\_\_  
8/14/06

PRESENT: THE HONORABLE PAUL D. BORMAN, U.S. District Court Judge

The parties having conferred and reached an agreement as to the Defendants' compliance with the Plaintiff's discovery requests;

IT IS HEREBY ORDERED that the personnel files of Defendants shall be produced in this action for the Court's *in camera* inspection shall be reviewed by the Court for the determination of relevant evidence.

1. Upon completion of the *in camera* inspection, Defendants agree to provide Plaintiff's counsel the relevant discovery for his custody and control. Plaintiff's counsel shall not make the relevant discovery, or portions thereof, available to any person except:

- a) Such employees of Plaintiff's counsel as are involved in the prosecuting or defending of this action;
- b) Other attorneys engaged by Plaintiff or associated with Plaintiff's counsel and their supporting staff; and
- c) Any expert witness or consultant engaged by Plaintiff's counsel to assist in connection with this action.

2. Nothing in paragraph 1 hereof shall prevent the parties from using documents received in discovery, or the information contained therein, in any proceeding in this action, including, but not limited to:

- a) Discovery depositions;
- b) Motions, briefs and pleadings;
- c) Argument before the Court;
- d) Trial or appeal.

IT IS FURTHER ORDERED that Plaintiff shall not give, show or otherwise divulge, directly or indirectly, to any person or entity except the Plaintiff, agents, or experts employed by in connection with this case, the documents or substance of those documents or other materials received in answer to Plaintiff Interrogatories and Request for Production of Documents, including but not limited to the relevant portions of the City of Madison Heights Police

Department Policy and Procedure Manual and/or Field Training Recruit Manual produced during the discovery process. Upon completion of the trial and any appeals in this case and the satisfaction of judgment, or upon completion of any settlement or other disposition, Plaintiff attorney shall, upon request, return to counsel for Defendant all materials produced pursuant to this order in answer to Plaintiff Interrogatories and Request for Production of Documents. Plaintiff counsel shall further provide to defense counsel at the time of re-delivery of the documents an Affidavit stating that Plaintiff has complied with the provisions of this Protective Order.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: August 14, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 14, 2006.

s/Denise Goodine

Case Manager

s/ Christopher J. Trainor

CHRISTOPHER J. TRAINOR (P42449)

Attorney for Plaintiff

s/ Carlito H. Young

CARLITO H. YOUNG (P 61863)

Attorney for Defendants